

BRIAN J. STRETCH (CABN 163973)
Acting United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

ADAM WRIGHT (MABN 661283)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7368
Fax: (415) 436-6982
E-mail: adam.wright@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 15-CR-167 CRB
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	CHANGING DATE FOR STATUS HEARING AND
v.)	EXCLUDING TIME FROM DECEMBER 17, 2015
)	TO JANUARY 20, 2016
CLAUDIO RENEE SUNUX, et al.,)	
)	
Defendants.)	
)	

This matter is currently set for a status hearing on December 17, 2015. The defendants and the government have appeared before the court on April 22, 2015 and July 1, 2015, in order to update the Court regarding discovery and the possibility of reaching a pre-trial resolution regarding the matter. The Court previously granted the parties' request to continue the hearing to December 16, 2015.

The parties respectfully request that the status hearing be moved to January 20, 2016 at 2:00 p.m. or another time on that day that meets the Court's schedule. As a basis for this request, the parties state that two of the defense attorneys are not available on the previously scheduled date. The parties further represent that discovery is ongoing, and the parties are working to determine if a pre-trial resolution is possible. The parties anticipate that they will be able to advise the Court as to whether to set a trial date at the next appearance. The parties would be available on January 20, 2016.

1 The parties also request that time be excluded under the Speedy Trial Act between December 16,
2 2015, the date of the originally scheduled status conference, and January 20, 2016, for the purpose of
3 continuity of counsel as well as effective preparation of counsel, taking into account due diligence. 18
4 U.S.C. § 3161(h)(7)(B)(iv).

5 SO STIPULATED:
6

7 BRIAN J. STRETCH
8 Acting United States Attorney

9 DATED: December 15, 2015
10

11 /s/
12 ADAM WRIGHT
13 Assistant United States Attorney

14 DATED: December 15, 2015
15

16 /s/
17 DOUGLAS HORNGRAD
18 Attorney for Claudio Rene Sunux

19 DATED: December 15, 2015
20

21 /s/
22 JESSE GARCIA
23 Attorney for Amanda Lopez

24 DATED: December 15, 2015
25

26 /s/
27 MARK GOLDROSEN
28 Attorney for Anibal Giovanni Ramirez

~~[PROPOSED]~~ ORDER

The Court hereby changes the status hearing scheduled for December 17, 2015 to January 20, 2016. Based upon the representation of counsel and for good cause shown, the Court also finds that failing to exclude the time between December 16, 2015 and January 20, 2016 would unreasonably deprive the defendants of continuity of counsel and counsel of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between December 16, 2015 and January 20, 2016 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time between December 16, 2015 and January 20, 2016 shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 12/16/2015


HON. CHARLES R. BREYER
United States District Court Judge